IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

AS.No. 185 of 2001(A)

AGAINST THE ORDER DATED 27/09/1999 IN IA. 3648 /1997 IN OS.859/1986 of II ADDL.SUB COURT,THRISSUR

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APPELLANT/FIRST RESPONDENT/FIRST DEFENDANT:

KUMARAN, S/O.MARAKYATH ITTAMAN, VAZHAPULLY DESOM, PERAKAM AMSOM, CHAVAKKAD TALUK, RESIDING AT 34A, PILLAYAR KOVIL STREET, VADAPAZHANI, MADRAS 26. (DIED)

BY ADV. SRI.D.KRISHNA PRASAD

RESPONDENTS/PETITIONER & RESPONDENTS 2 TO 5/PLAINTIFF & DEFENDANTS 2 TO 5:

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1. PUSHKARAN, S/O.INIPULLY ITTIRI, VAZHAPULLY DESOM, PERAKAM AMSOM, CHAVAKKAD TALUK.

2. KALLU, W/O.KOORKAPARAMBIL RAMAN, D/O.INIPULLY ITTIRI, VAZHAPULLY DESOM, PERAKAM AMSOM, CHAVAKKAD TALUK.

(*)3. KARTHIAYANI, W/O.ERINJHIYIL KUNHIMON, VAZHAPULLY DESOM, CHAVAKKAD TALUK. (DIED. LRS IMPLEADED)

4. MEENAKSHY, W/O.NAMBIYATH SANKUNNY, MANATHALA DESOM, CHAVAKKAD TALUK.

5. PADMAVATHY, W/O.VAKKAYIL BHASKARAN, EDAKKARIYOOR DESOM, PUNNAYORE VILLAGE, CHAVAKKAD TALUK.

ADDL.R6 IMPLEADED:

PREM DAS E.K., REPRESENTATIVE, BARDER DUBAI SHOPPING AGENCY COMPANY, LIC IV FLOOR, MASHREQ BANK, DLDG KHOR BRANCH, POST BOX NO.8612, DUBAI, U.A.E.

(*)(THE ABOVE LEGAL REPRESENTATIVE OF THE DECEASED R3 IS IMPLEADED ADDL R6 VIDE ORDER DATED 22.11.2001 ON CMP NO.3301/2001)

R1 BY ADV. SRI.GOVIND K.BHARATHAN
SRI.B.PRAVEEN

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 04/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR ,J.

A.S.No.185 of 2001

Dated, this the 4th day of October, 2007

JUDGMENT

In view of the dismissal of C.M.P.No.1308/2001, the petition to condone delay in filing the appeal, for non-prosecution, this appeal is only to be dismissed.

In the result, appeal is dismissed as time barred.

K. PADMANABHAN NAIR,
JUDGE.

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K.PADMANABHAN NAIR, J.

A.S.NO.185 of 2001

JUDGMENT

4th September, 2007.

K. PADMANABHAN NAIR ,J.

C.M.P.No.1308 of 2001
IN
A.S.No.185 of 2001

Dated, this the 4th day of October, 2007

ORDER

It is reported by the counsel for the petitioner/appellant that the appellant is no more. No steps are taken to implead the legal representatives of deceased sole appellant. So this petition is only to be dismissed for non-prosecution.

In the result, this petition is dismissed for non-prosecution.

K. PADMANABHAN NAIR,
JUDGE.

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K.PADMANABHAN NAIR, J.

C.M.P.No.1308 of 2001

IN

A.S.No.185 of 2001

ORDER

4th September, 2007.